

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, the claims have been amended in response to the objections and rejections set forth by the Examiner, by limiting the optionally substituted heterocyclic group and optionally substituted heterocyclic lower alkyl group in the definition for R¹ to optionally substituted 5- or 6-membered nitrogen containing heterocyclic group and optionally substituted 5- or 6-membered nitrogen containing heterocyclic lower alkyl group which the Examiner acknowledges are enabled by the specification. Amended claim 1 also deletes reference to the alcoholate and hydrate, which the Examiner states are not enabled by the specification.

All of the other claims under examination have been amended where necessary to be consistent with the amendments to claim 1.

Applicants respectfully submit that the foregoing amendments should be entered even though they are being presented after final rejection, since the effect of the amendments is to overcome only formal rejections, and thus, it is clear that entry of these amendments will not necessitate any further consideration and/or search of the prior art.

The objection to claim 1 is respectfully traversed.

Initially, the objection has been rendered moot to the extent that the Examiner states that a definition has not been inserted for "heterocyclic" which appears in the definition of R¹. As indicated above, this heterocyclic group has been limited to 5- or 6-membered nitrogen containing heterocyclic groups.

The other ground for objecting to claim 1 set forth by the Examiner is that claim 1 contains the definition of "heteroaryl" which has been removed from the definition of Ar. However, the heteroaryl relates to the definition of the D ring, rather than to the definition of Ar.


The rejection of claims 1-9, 20, 23 and 24 under the first paragraph of 35 U.S.C. §112 has been rendered moot in view of the claim amendments, limiting the heterocyclic group in the definition of R¹ to a 5- or 6-membered nitrogen containing heterocyclic group, and deleting the alcoholates and hydrates.

Incidentally, although the Examiner also refers to "solvates", that term was deleted in the previous claim amendments.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of objection and rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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